

**DEVELOPMENT DATA:**  
 PROJECT NAME: THE COURTYARD  
 OWNER/AGENT: LAT PURSER AND ASSOCIATES PHONE #: 704-519-4200  
 OWNER ADDRESS: 4530 PARK RD. STE 410 CHARLOTTE, NC 28209  
 PLANS PREPARED BY: THE ISAACS GROUP PHONE #: 704-527-3440  
 DESIGNER ADDRESS: 8720 RED OAK BLVD. STE 420 CHARLOTTE, NC 28217  
 TAX PARCEL #: 121-101-10  
 EXIST. ZONING: B-1 JURISDICTION: CITY OF CHARLOTTE  
 PROP. ZONING: NS  
 EXISTING USE: RETAIL AND RESTAURANT  
 PROPOSED USE: RETAIL AND RESTAURANT  
 LOT SIZE: 103530/2.376 SQ. FEET/ACRES  
 EXISTING BUILDING: 34,000 SQ. FEET  
 EXISTING PARKING: 129 SPACES  
 MAX. EDEE S.F.: 85,550 SQ. FEET  
 MAX. OUTDOOR DINING PATIO AREA: ±4,100 SQ. FEET  
 REQUIRED PARKING (NON EDEE USES): 1 SPACE PER 350 S.F.  
 REQUIRED EDEE PARKING: 1 SPACE PER 225 S.F.  
 TOTAL PARKING REQUIRED: EDEE USES 8550/225= 38 SPACES  
 OUTDOOR DINING 4,100/350= 12 SPACES  
 NON EDEE USES 25450/350= 73 SPACES  
 TOTAL PARKING REQUIRED= 129 SPACES  
 TOTAL PARKING PROVIDED= 129 SPACES

**PATIO AREA**

**1. GENERAL PROVISIONS**

- A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE ZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY THE COURTYARD AT PARK ROAD, LLC (THE "PETITIONER") FOR AN APPROXIMATELY 2.376 ACRE SITE LOCATED ON THE WEST SIDE OF PARK ROAD, ACROSS FROM THE INTERSECTION OF PARK ROAD AND ORDERMORE AVENUE, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (HEREINAFTER REFERRED TO AS THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NO. 121-101-10.
- B. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE").
- C. UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE NEIGHBORHOOD SERVICES ("NS") ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
- D. THE DEVELOPMENT AND USES DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND ARE INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE ULTIMATE LAYOUT, LOCATIONS AND SIZES OF THE DEVELOPMENT AND SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE PROPOSED DEVELOPMENT AND SITE ELEMENTS, AND THEY MAY BE ALTERED OR MODIFIED IN ACCORDANCE WITH THE SETBACK AND YARD REQUIREMENTS SET FORTH ON THIS REZONING PLAN AND THE DEVELOPMENT STANDARDS, PROVIDED, HOWEVER, THAT ANY SUCH ALTERATIONS AND MODIFICATIONS SHALL NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.
- E. THE SITE IS CURRENTLY IMPROVED WITH A COMMERCIAL DEVELOPMENT KNOWN AS THE COURTYARD. TO THE EXTENT THAT THE EXISTING BUILDING, ANY EXISTING IMPROVEMENTS OR ANY EXISTING SIGNS LOCATED ON THE SITE DO NOT MEET THE REQUIREMENTS OF THE NS ZONING DISTRICT OR ANY OTHER PROVISIONS OF THE ORDINANCE, THE EXISTING BUILDING, THE EXISTING IMPROVEMENTS AND/OR THE EXISTING SIGNS SHALL BE CONSIDERED TO BE LEGALLY NON-CONFORMING AND SHALL NOT BE REQUIRED TO COMPLY WITH SUCH ORDINANCE REQUIREMENTS AND PROVISIONS.
- F. FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE. ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.

**2. PERMITTED USES/DEVELOPMENT LIMITATIONS**

- A. SUBJECT TO THE LIMITATIONS SET OUT BELOW, THE SITE MAY BE DEVOTED TO ANY USE OR USES ALLOWED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE NS ZONING DISTRICT, TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN THE NS ZONING DISTRICT, INCLUDING, WITHOUT LIMITATION, OUTDOOR DINING.
- B. THE SITE MAY CONTAIN AND BE DEVELOPED WITH A TOTAL MAXIMUM OF 34,000 SQUARE FEET OF GROSS FLOOR AREA. THE AREA OF OUTDOOR DINING PATIOS SHALL NOT COUNT TOWARDS THE MAXIMUM 34,000 SQUARE FEET OF ALLOWABLE GROSS FLOOR AREA.
- C. A MAXIMUM OF 8,550 SQUARE FEET OF THE ALLOWABLE 34,000 SQUARE FEET OF GROSS FLOOR AREA MAY BE DEVOTED TO EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 1 AND/OR TYPE 2). THE AREA OF OUTDOOR DINING PATIOS SHALL NOT COUNT TOWARDS THE MAXIMUM 8,550 SQUARE FEET OF GROSS FLOOR AREA THAT MAY BE DEVOTED TO EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 1 AND/OR TYPE 2).
- D. ACCESSORY DRIVE-THROUGH SERVICE LANES/WINDOWS SHALL NOT BE PERMITTED ON THE SITE.
- E. THE TOTAL MAXIMUM SIZE OF OUTDOOR DINING PATIOS LOCATED ON THE SITE SHALL BE 4,100 SQUARE FEET.

**3. TRANSPORTATION**

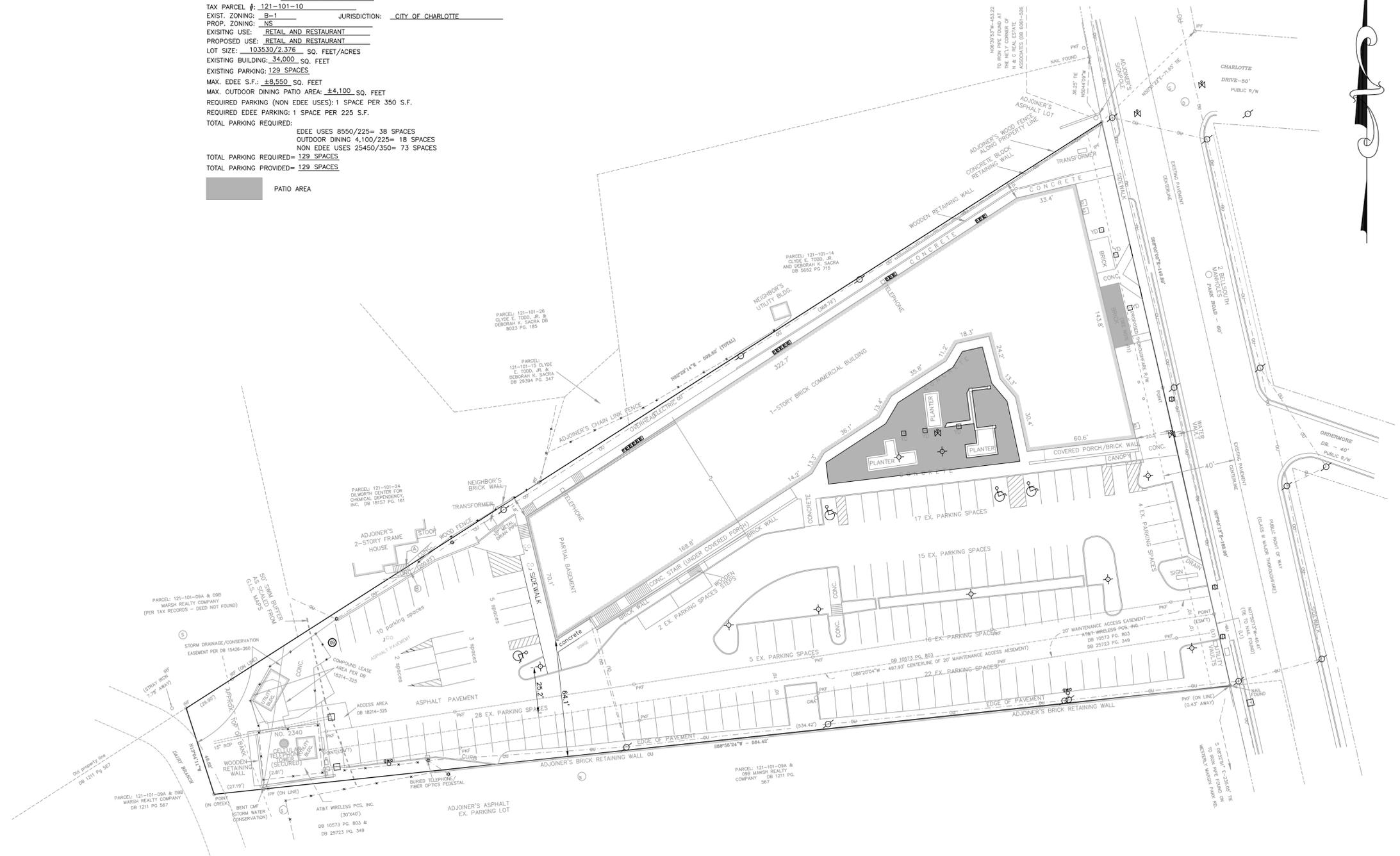
- A. VEHICULAR ACCESS SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINT ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION.
- B. THE ALIGNMENTS OF THE INTERNAL DRIVES AND CIRCULATION AREAS LOCATED ON THE SITE ARE SUBJECT TO ANY MINOR MODIFICATIONS OR ALTERATIONS.
- C. INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS SHALL BE PROVIDED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN.
- D. SUBJECT TO THE TERMS OF PARAGRAPH 3.E BELOW, OFF-STREET VEHICULAR PARKING SHALL BE PROVIDED AT THE RATE OF 1 PARKING SPACE PER 350 SQUARE FEET OF GROSS FLOOR AREA.
- E. OFF-STREET VEHICULAR PARKING SHALL BE PROVIDED AT THE RATE OF 1 PARKING SPACE PER 225 SQUARE FEET OF GROSS FLOOR AREA FOR EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 1 AND/OR TYPE 2) AND FOR OUTDOOR DINING PATIOS.

**4. STREETScape AND LANDSCAPING**

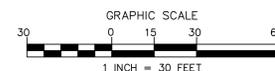
- A. THE EXISTING PLANTING STRIP AND THE EXISTING SIDEWALK LOCATED ALONG THE SITE'S FRONTAGE ON PARK ROAD MAY REMAIN IN PLACE. TO THE EXTENT THAT THE EXISTING PLANTING STRIP AND THE EXISTING SIDEWALK DO NOT MEET THE REQUIREMENTS OF THE ORDINANCE, THESE IMPROVEMENTS SHALL BE CONSIDERED TO BE LEGALLY NON-CONFORMING.

**5. LIGHTING**

- A. ANY FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE AFTER THE APPROVAL OF THIS REZONING PETITION (EXCLUDING STREET LIGHTS, LOWER DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS AND SIDEWALKS AND LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE.
- B. THE MAXIMUM HEIGHT OF ANY FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE AFTER THE APPROVAL OF THIS REZONING PETITION SHALL BE 21 FEET.
- C. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS
- A. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.
- B. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERM "PETITIONER" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF PETITIONER OR THE OWNER OR OWNERS OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.
- C. ANY REFERENCE TO THE ORDINANCE HEREIN SHALL BE DEEMED TO REFER TO THE REQUIREMENTS OF THE ORDINANCE IN EFFECT AS OF THE DATE THIS REZONING PETITION IS APPROVED.



**PRELIMINARY FOR REVIEW PURPOSES ONLY**



NO.	BY	DATE	REVISION

Project: <b>THE COURTYARD</b> PARK ROAD, CHARLOTTE, NORTH CAROLINA	
Title: <b>REZONING PLAN</b>	
File #: 18167-SK-DWG	Date: 04/27/2020
Project Egn: BTU	Design By: BTU
8720 RED OAK BOULEVARD, SUITE 420 CHARLOTTE, N.C. 28217 PHONE (704) 527-3440 FAX (704) 527-8335	
<b>RZ1.0</b>	